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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER AMPAGOOMIAN, DAVID S	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/559,665	Applicant(s) KANBARA ET AL.	
	Examiner DAVID AMPAGOOMIAN	Art Unit 2146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/29/2006, 12/05/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 8 is objected to because of the following informalities: There are two claims numbered claim 8. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-3, 5-7, 11-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Tami et al. (US 2004/0059634) hereafter Tami.**

Regarding claim 1, Tami discloses an image forming apparatus using system including at least one image forming apparatus having a touch panel and an office supply information server that is connected to the image forming apparatuses via a network, the image forming apparatus comprising:

a client information sending part for sending order information to the office supply information server ("The high speed server receives and stores input data from the POS system and updates the relational databases of the primary in-store on a real time basis

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as store items are being "rung up" at the point of sale. The primary POS server 86 is also in communication with the inventory management system stored on the ISP 14. Accordingly, the inventory management system is updated virtually at the same time and rate as the relational data bases on the primary POS server 86" Tami: [0062], "inventory management system which is integrated with the relational databases of the primary point of sale server." Tami: [0026]); and

a server information receiving part for receiving information from the office supply information server ("The primary POS server 86 is also in communication with the inventory management system stored on the ISP 14" Tami: [0062]),

the office supply information server comprising:

a server information sending part for sending information to the image forming apparatus ("The hand held units 58 are interfaced with an in-store Point Of Sale (POS) system and the inventory management system discussed earlier to provide and display current inventory and pricing data on each stock item bar code that it reads." Tami: [0054-0058]); and

a client information receiving part for receiving information input from the touch panel of the image forming apparatus ("touch-screen terminals" Tami: [0074]),

wherein the image forming apparatus orders an office supply from the office supply information server by using the client information sending part ("fully automated generation of orders to replenish merchandise, based on POS scan data" [0013]).

Regarding claim 2, Tami discloses the image forming apparatus using system as claimed in claim 1. Tami further discloses the image forming apparatus further comprising a user identifying part for identifying a user when the user uses the image forming apparatus (Tami: [0098-0121], [0300]).

Regarding claim 3, Tami discloses the image forming apparatus using system as claimed in claim 1 as described above. Tami further discloses the image forming apparatus further comprising an operating system that provides a graphical user interface by which the user operates the image forming apparatus on the touch panel (Tami: [0074], [0088] and “operating system is industry standard” [0278]) .

Regarding claim 5, Tami discloses the image forming apparatus using system as claimed claim 1 as described above. Tami further discloses the office supply information server further comprising:

- a user information storing part for storing order history of each user (“In addition to demographics/transaction history capture” Tami: [0489-0493] [0061]);

- a preference information storing part for storing preference information of each user (“Referring still to FIG. 4, the express savings program 172 provides the ability to offer rewards (e.g. coupons, gift certificates, etc.) and multiple pricing structures to individual customers based on purchase levels and shopping habits, and may be

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implemented using multiple devices including POS terminals 124, kiosks and the internet.” Tami: [0496]);

an advertisement generation part for generating an advertisement to be sent to each user on the basis of the order history and the preference information (Tami: [0496]); and

an advertisement sending part for sending the advertisement to the image forming apparatus (Tami: [0496]).

Regarding claim 6, Tami discloses the image forming apparatus using system as claimed in claim 1 as described above. Tami further discloses the image forming apparatus further comprising:

a supply remaining amount sending part for sending, to the office supply information server, data of a remaining amount of the supply in the image forming apparatus (Tami: [0077], [0054-0058]),,

wherein the office supply information server sends a warning relating to the remaining amount to the image forming apparatus when the received remaining amount is smaller than a predetermined amount (“In the preferred embodiment, the method of the present invention allows for automatic stock replenishment based on POS scan data with re -order points configurable in the inventory file.” Tami: [0077], “For example, a database of in-store-inventory can be analyzed for generating computer assisted re-stocking orders” Tami: [0061]).

Claim 7 (Currently Amended): The image forming apparatus using system as claimed in claim 1, the image forming apparatus further comprising; a scanning part for scanning a barcode of the supply; and

a barcode sending part for sending information of the barcode to the office supply information server ("The hand held units 58 are interfaced with an in-store Point Of Sale (POS) system and the inventory management system discussed earlier to provide and display current inventory and pricing data on each stock item bar code that it reads."

Tami: [0054-0058),

the office supply information server further comprising: a search part for searching for an office supply corresponding to the barcode by using the information of the barcode ("The hand held units 58 are interfaced with an in-store Point Of Sale (POS) system and the inventory management system discussed earlier to provide and display current inventory and pricing data on each stock item bar code that it reads."

Tami: [0054-0058),

wherein the office supply information server sends information of the office supply to the image forming apparatus if the office supply is found from the information of the barcode ("The hand held units 58 are interfaced with an in-store Point Of Sale (POS) system and the inventory management system discussed earlier to provide and display current inventory and pricing data on each stock item bar code that it reads."

Tami: [0054-0058]), and the office supply information server registers the information of the office supply in an expansion commodity storage as a commodity to be newly dealt

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in if the office supply is not found from the information of the barcode (Tami: [0054-0058],[0081-0085]).

Claim 11 (Currently Amended): The image forming apparatus using system as claimed in claim 2, wherein the office supply information server refers to an amount of money stored in the user information storing part wherein the amount of money is a limit amount usable by the user for ordering office supplies, and

if an amount of money necessary for purchasing the office supplies ordered from the image forming apparatus by the user is smaller than the limit amount of money, the image forming apparatus performs an approval process.

Regarding claim 12, Tami discloses an image forming apparatus using system including a first image forming apparatus placed in a user's site, a second image forming apparatus placed in a municipality, and an office supply information server that is connected to the first and second image forming apparatuses, wherein:

the first image forming apparatus applies for a document by sending application information to the office supply information server ("The high speed server receives and stores input data from the POS system and updates the relational databases of the primary in-store on a real time basis as store items are being "rung up" at the point of sale. The primary POS server 86 is also in communication with the inventory management system stored on the ISP 14. Accordingly, the inventory management system is updated virtually at the same time and rate as the relational data bases on the

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primary POS server 86” Tami: [0062] “The hand held units 58 are interfaced with an in-store Point Of Sale (POS) system and the inventory management system discussed earlier to provide and display current inventory and pricing data on each stock item bar code that it reads.” Tami: [0054-0058]);

the office supply information server sends a document reservation number to the first image forming apparatus on the basis of the application information (“The primary POS server 86 is also in communication with the inventory management system stored on the ISP 14” Tami: [0062]);

the first image forming apparatus outputs the document reservation number (“fully automated generation of orders to replenish merchandise, based on POS scan data” Tami: [0013], [0026], [0062]); and

the second image forming apparatus outputs the document on the basis of the document reservation number input by the user (“Additionally, the POS terminal may include a software or hardware switch to allow the cashier to take control of the customer display in order to assist the customer without having to leave the cashier's station.” Tami: [0067]).

Regarding claim 13, Tami discloses an office supply information server that is connected to at least one image forming apparatus having a touch panel via a network, the office supply information server comprising:

a server information sending part for sending information to the image forming apparatus (“The hand held units 58 are interfaced with an in-store Point Of Sale (POS)

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system and the inventory management system discussed earlier to provide and display current inventory and pricing data on each stock item bar code that it reads.” Tami: [0054-0058]; and

a client information receiving part for receiving information input from the touch panel of the image forming apparatus (“touch-screen terminals” Tami: [0074], [0087-0088], “The high speed server receives and stores input data from the POS system and updates the relational databases of the primary in-store on a real time basis as store items are being “rung up” at the point of sale. The primary POS server 86 is also in communication with the inventory management system stored on the ISP 14. Accordingly, the inventory management system is updated virtually at the same time and rate as the relational data bases on the primary POS server 86” Tami: [0062], “inventory management system which is integrated with the relational databases of the primary point of sale server.” Tami: [0026])).

Regarding claim 14 Tami discloses the office supply information server as claimed in claim 13 as described above. Tami further discloses, the office supply information server further comprising:

a user information storing part for storing order history of each user (“In addition to demographics/transaction history capture” Tami: [0489-0493] [0061]);

a preference information storing part for storing preference information of each user (“Referring still to FIG. 4, the express savings program 172 provides the ability to offer rewards (e.g. coupons, gift certificates, etc.) and multiple pricing structures to

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individual customers based on purchase levels and shopping habits, and may be implemented using multiple devices including POS terminals 124, kiosks and the internet.” Tami: [0496]);

an advertisement generation part for generating an advertisement to be sent to each user on the basis of the order history and the preference information ([0496]); and

an advertisement sending part for sending the advertisement to the image forming apparatus ([0496]).

Regarding claim, Tami discloses the office supply information server as claimed in claim 13 as described above. Tami further discloses wherein the office supply information server receives a number of remaining office supplies in the image forming apparatus (Tami: [0077], [0054-0058]), and the office supply information server sends a supply order prompt message for prompting a user of the image forming apparatus to order the office supply to the image forming apparatus when the remaining number is smaller than a predetermined number for the office supply (“In the preferred embodiment, the method of the present invention allows for automatic stock replenishment based on POS scan data with re -order points configurable in the inventory file.” Tami: [0077], “For example, a database of in-store-inventory can be analyzed for generating computer assisted re-stocking orders” Tami: [0061]).

Regarding claim 16 Tami discloses the office supply information server as claimed in claim 13 as described above. Tami further discloses wherein the office

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supply information server receives data of a remaining amount of an office supply in the image forming apparatus (Tami: [0077], [0054-0058],[0013]), and the office supply information server sends a warning relating to the remaining amount to the image forming apparatus when the received remaining amount is smaller than a predetermined amount (“When the out of stock items are replenished, the system would need to alert store personnel” [0574], “The integrated inventory management system 114 of the present invention tracks item movement at the item level by time (hh:mm) day, week and event, forecasts re -order requirements and issues stock level alerts.” Tami: [0082]).

Claim 17 (Currently Amended): The office supply information server as claimed in claim 13, the office supply information server further comprising:

a search part for receiving information of a barcode from the image forming apparatus s (“The hand held units 58 are interfaced with an in-store Point Of Sale (POS) system and the inventory management system discussed earlier to provide and display current inventory and pricing data on each stock item bar code that it reads.” Tami: [0054-0058]), and searching for an office supply corresponding to the barcode by using the information of the barcode s (“The hand held units 58 are interfaced with an in-store Point Of Sale (POS) system and the inventory management system discussed earlier to provide and display current inventory and pricing data on each stock item bar code that it reads.” Tami: [0054-0058]), wherein the office supply information server sends information of the office supply to the image forming apparatus if the office supply

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is found from the information of the barcode ("The hand held units 58 are interfaced with an in-store Point Of Sale (POS) system and the inventory management system discussed earlier to provide and display current inventory and pricing data on each stock item bar code that it reads." Tami: [0054-0058]), and the office supply information server registers the information of the office supply in an expansion commodity storage as a commodity to be newly dealt in if the office supply is not found from the information of the barcode (Tami: [0054-0058],[0081-0085]).

Regarding claim 18, Tami discloses the office supply information server as claimed in claim 13 as described above. Tami further discloses wherein the office supply information server refers to an amount of money stored in the user information storing part wherein the amount of money is a limit amount usable by a user for ordering office supplies ([0098-0120], [0006], [0052]), and

if an amount of money necessary for purchasing office supplies ordered from the image forming apparatus by the user is smaller than the limit amount of money, the image forming apparatus performs an approval process ([0098-0120] , [0006], [0052], [0077-0084]).

Regarding claim 19, Tami discloses the office supply information server as claimed in claim 15 as described above. Tami further discloses the office supply information server further comprising: a stock management part for managing stock of office supplies, wherein the stock management part performs stock management on the

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basis of information of an office supply relating to the supply order prompt message ("fully automated generation of orders to replenish merchandise, based on POS scan data" [0013], [0082]), information of an office supply relating to the warning, or the information of the barcode ("When the out of stock items are replenished, the system would need to alert store personnel" [0574], "The integrated inventory management system 114 of the present invention tracks item movement at the item level by time (hh:mm) day, week and event, forecasts re-order requirements and issues stock level alerts." Tami: [0082], ("The hand held units 58 are interfaced with an in-store Point Of Sale (POS) system and the inventory management system discussed earlier to provide and display current inventory and pricing data on each stock item bar code that it reads." Tami: [0054-0058])).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims is 4, 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tami in view of Can et al. (US 20020038267 A1) hereafter Can.

Regarding claim 4, Tami discloses the image forming apparatus using system as claimed in claim 1 as described above. Tami disclose a part for sending the number of the remaining supplies to the office supply information server, wherein the office supply

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information server sends a supply order prompt message for prompting the user to order the supply to the image forming apparatus when the remaining number is smaller than a predetermined number for the supply ("In the preferred embodiment, the method of the present invention allows for automatic stock replenishment based on POS scan data with re-order points configurable in the inventory file." Tami: [0077], "For example, a database of in-store-inventory can be analyzed for generating computer assisted re-stocking orders" Tami: [0061]).

Tami does not explicitly disclose wherein the office supply includes an IC chip by which the office supply can be identified, and the IC chip includes an identification information sending part for sending identification information of the office supply to the image forming apparatus by radio, the image forming apparatus further comprising: a counting part for counting the number of remaining supplies based on the identification information sent from each IC chip.

Can teaches an inventory management system that makes use of radio frequency ID tags track supplies (Can: [0010-0015]). Can further provides the advantage of providing "accurate and real time information related to available inventory" (Can: Abstract).

It would have been obvious to one of ordinary skill in the art, having the teachings of Tami and Can before them at the time the invention was made to modify the inventory management system of Tami to include integrated circuit radio frequency tags as taught by Can.

One of ordinary skill in the art would have been motivated to make this modification in order to provide “accurate and real time information related to available inventory” in view of Can.

Regarding claim 8, Tami together with Can discloses the image forming apparatus using system as claimed in claims 1 and 4 as described above. Tami further discloses wherein the image forming apparatus displays an order screen for ordering office supplies in addition to displaying a supply order prompt message (“In the preferred embodiment, the method of the present invention allows for automatic stock replenishment based on POS scan data with re -order points configurable in the inventory file.” Tami: [0077], “For example, a database of in-store-inventory can be analyzed for generating computer assisted re-stocking orders” Tami: [0061]), an advertisement, a warning or the information of the supply corresponding to the barcode ([0054-0058], “When the out of stock items are replenished, the system would need to alert store personnel” [0574], “The integrated inventory management system 114 of the present invention tracks item movement at the item level by time (hh:mm) day, week and event, forecasts re -order requirements and issues stock level alerts.” Tami: [0082]), and the image forming apparatus sends information input from the order screen to the office supply information sever so that the office supplies are ordered (“In the preferred embodiment, the method of the present invention allows for automatic stock replenishment based on POS scan data with re -order points configurable in the inventory file.” Tami: [0077], “For example, a database of in-store-inventory can be

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analyzed for generating computer assisted re-stocking orders” Tami: [0061], “When the out of stock items are replenished, the system would need to alert store personnel” [0574], “The integrated inventory management system 114 of the present invention tracks item movement at the item level by time (hh:mm) day, week and event, forecasts re -order requirements and issues stock level alerts.” Tami: [0082]).

Regarding Claim 9, Tami together with Can disclose the image forming apparatus using system as claimed in claims 1, 4 and 8 as described above. Tami further discloses wherein the order screen is displayed on the image forming apparatus as a screen different from a screen showing the supply order prompt message (Tami: [0082]), the advertisement, the warning or the information of the supply corresponding to the barcode (“The hand held units 58 are interfaced with an in-store Point Of Sale (POS) system and the inventory management system discussed earlier to provide and display current inventory and pricing data on each stock item bar code that it reads.” Tami: [0054-0058], “In the preferred embodiment, the method of the present invention allows for automatic stock replenishment based on POS scan data with re -order points configurable in the inventory file.” Tami: [0077], “For example, a database of in-store-inventory can be analyzed for generating computer assisted re-stocking orders” Tami: [0061], “When the out of stock items are replenished, the system would need to alert store personnel” [0574], “The integrated inventory management system 114 of the present invention tracks item movement at the item level by time (hh:mm) day, week

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and event, forecasts re -order requirements and issues stock level alerts.” Tami:
[0082]).

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tami in view of Can et al. (US 20020038267 A1) hereafter as applied to claims 1, 4 and 8 above, and further in view of Kobayashi et al. (US 20040083260 A1) hereafter Kobayashi.

Regarding claim 10, Tami together with Can teach the image forming apparatus using system as claimed in claims 1, 4 and 8 as described above. Tami and Can do not explicitly disclose wherein the image forming apparatus outputs the order information input from the order screen as a facsimile format so that the office supply is ordered by facsimile.

Kobayashi discloses the use of Fax machines (Kobayashi: [0003], [0016-0017]).

Kobayashi further provides the advantage of providing a “multifunction machine/server system capable of dealing with electronic documents at a higher efficiency and being actualized at low costs” (Kobayashi: abstract).

It would have been obvious to one of ordinary skill in the art, having the teachings of Tami, Can and Kobayashi before them at the time the invention was made to modify the inventory management and ordering system of Tami and the radio tagging system of Can to include the use of facsimile format as taught by Kobayashi.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID AMPAGOOMIAN whose telephone number is (571)270-1896. The examiner can normally be reached on Monday through Friday 9:30 AM to 7:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on 571-272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. A./
Examiner, Art Unit 2146

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2146